IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 19000 of 2007
Date of Decision: 17.12.2007

Shanker Singh and another

…Petitioners

Versus

State Bank of India

…Respondent

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Deepak Gupta, Advocate,
for the petitioners.

JUDGMENT

M.M. KUMAR, J.

This petition is directed against possession notice dated 26.9.2007 (P-3), issued by the respondent to the petitioner under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity, 'the Act'). Against the aforementioned notice, remedy of appeal is provided under Section 17 of the Act. In the face of a regular remedy of appeal, it would be prudent for the petitioner to pursue that remedy instead of approaching this Court under Article 226 of the Constitution.

Dismissed. However, the petitioner is relegated to the remedy of filing appeal, if so advised.

(M.M. KUMAR)
JUDGE

(RAKESH KUMAR JAIN)
JUDGE

December 17, 2007

Pkapoor